

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA

In Re:

Ashraful M. Islam

Debtor

Chapter 13

Bankruptcy No. 22-13182-AMC

TRUSTEE'S MOTION TO DISMISS WITH PREJUDICE
PURSUANT TO 11 U.S.C. SECTIONS 105 AND 1307

To the Honorable Judges of the United States Bankruptcy Court for the Eastern District of Pennsylvania:

1. Your Movant is Scott F. Waterman, Esq. the duly qualified and acting Chapter 13 Trustee in the above-captioned case.
2. The within case was commenced by the filing of a Chapter 13 petition on 11/29/2022.
3. This Motion to Dismiss has been filed for the following reason(s):
 - The Debtor(s) has/have failed to commence or continue making timely payments to the Trustee as required by 11 U.S.C. Section 1326.
 - There has been unreasonable delay as defined by 11 U.S.C Section 1307(c)(1) by the above-captioned Debtor(s).
4. The debtor has filed three prior bankruptcy cases, either individually, or jointly with a spouse, as follows:
 - (1) 18-13518-AMC, Chapter 13, filed by Ashraful M. Islam on May 29, 2018. The case was dismissed on the Trustee's Motion to Dismiss on October 3, 2018 due to the failure of the debtor to make plan payments.
 - (2) 18-17107-AMC, Chapter 13, filed by Ashraful M. Islam on October 26, 2018. The case was dismissed on November 20, 2018 due to the failure of the debtor to file required documents.
 - (3) 21-10190-AMC, Chapter 13, filed by Ashraful M. Islam on January 26, 2021. The case was dismissed on April 18, 2022 due to the Motion to Voluntarily Dismiss filed by debtor.

WHEREFORE, Scott F. Waterman, Esq., Standing Chapter 13 Trustee, respectfully requests that, pursuant to 11 U.S.C. Sections 105 and 1307, the Court enter an Order dismissing this case with prejudice and barring the debtor from filing another bankruptcy petition, either individually or jointly with a spouse, without prior leave of Court FOR A PERIOD OF ONE YEAR.

Date: 02/08/2023

Respectfully submitted,

/s/ Ann Swartz, Esq.

Ann Swartz, Esq.

for

Scott F. Waterman, Esq.

Standing Chapter 13 Trustee

2901 St. Lawrence Avenue, Suite 100

Reading, PA 19606

Telephone: (610) 779-1313